

INVITATION FOR BIDS



THE STATE BAR OF CALIFORNIA

This document is an Invitation for Bids ("IFB") in connection with printing services for decorative wall certificates.

Please submit your bid in a sealed envelope no later than **5 p.m. on December 19, 2003**. All responses to the Invitation for Bid shall be submitted to:

The State Bar of California
180 Howard Street
San Francisco, CA 94105

Attn: Gayle Murphy
Phone: 415-538-2322
E-mail: Gayle.Murphy@calbar.ca.gov
Facsimile: 415-538-2304

I. INTRODUCTION

The State Bar of California ("the State Bar"), created in 1927 by the Legislature and adopted into the California Constitution, is a public corporation within the judicial branch of state government. In accordance with statute and the State Bar's procurement policies, contracts of \$50,000 or more are ordinarily subject to formal competitive bidding. As a governmental agency, the State Bar regularly receives favorable governmental pricing and contract terms.

The State Bar is seeking bids for printing admission certificates to the California Bar.

II. GENERAL INFORMATION

A. Submission Requirements

The submission requirements for the IFB are detailed below. Any bid shall constitute an irrevocable offer for 90 days following the deadline for its submission.

Reference to a certain number of days in this IFB shall mean business days unless otherwise specified.

“Written notice” in this IFB shall mean notice by U.S. mail **and** either facsimile or e-mail unless otherwise specified.

Please provide the following:

1. A brief description of the history and organization of the bidder’s firm.
2. References from organizations that have purchased similar equipment from bidder within the last 18 months.
3. Copies of business licenses, professional certifications or other credentials, together with evidence that bidder, if a corporation, is in good standing and qualified to conduct business in California.
4. The most recent annual report, or comparable document, including detailed current profit and loss, assets and liabilities, and other relevant financial data.
5. A sample of the wall certificate to be printed as described in III below.
6. A firm bid on a per-certificate basis, sealed in an envelope separate from the remaining portion of the bid response. The bid should indicate any price breaks for quantity purchases.

B. Rejection of Bids

The State Bar reserves the right in its sole discretion to reject any or all bids in whole or in part, without incurring any cost or liability whatsoever. All bids will be reviewed for completeness of the submission requirements. If a bid fails to meet a material requirement of the IFB, or if it is incomplete or contains irregularities, the bid may be rejected. A deviation is material to the extent that a bid is not in substantial accord with IFB requirements.

Immaterial deviations may cause a bid to be rejected. The State Bar may or may not waive an immaterial deviation or defect in a bid. The State Bar's waiver of an immaterial deviation or defect shall in no way modify the IFB or excuse a bidder from full compliance with the IFB requirements.

Any bid may be rejected where it is determined to be not really competitive, or where the cost is not reasonable.

Bids that contain false or misleading statements may be rejected if in the State Bar's judgment the information was intended to mislead the State Bar regarding a requirement of the IFB.

C. Award and Execution of Contract

Prior to the time of bid opening, each bid will be reviewed to determine if it is responsive and responsible. The sealed cost bids of responsive and responsible bidders will be publicly opened at 10:00 a.m. on December 22, 2003 at 180 Howard Street, San Francisco, CA 94105.

Subject to the State Bar's right to reject any or all bids, the contract will ordinarily be awarded to the Lowest Cost Responsive Bidder ("LCRB"). On written request from any bidder, the State Bar shall post a public notice of intent to award the contract at least five days before making the award. Any such notice shall be posted in the lobby of the State Bar offices at 180 Howard Street, San Francisco CA. If the State Bar is awarding to the LCRB, and no requests have been made to publicly post a letter of intent, the contract may be awarded without delay.

If the contract is not awarded to the LCRB, the LCRB must be notified of that fact at least five days before making the award. The notification must be by telegram, fax, overnight courier, or personal delivery. The notice shall include the reason that the contract is not being awarded to the LCRB.

No contract or agreement, express or implied, shall exist or be binding on the State Bar before the issuance of a valid State bar purchase order.

Questions regarding the State Bar's award of any business on the basis of bids submitted in response to the IFB, or on any other matter in connection with the selection process, should be addressed **by e-mail only** to Debbie Barrientos, Deborah.Barrientos@calbar.ca.gov.

E. Errors in the IFB

If a bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the IFB, the bidder should immediately provide the State Bar with written notice of the problem and request that the IFB be clarified or modified. Without disclosing the source of the request, the State Bar may modify the document prior to the date fixed for submission of bids by issuing an addendum to all potential bidders to whom the IFB was sent.

If prior to the date fixed for submissions, a bidder knows of or should have known of an error in the IFB but fails to notify the State Bar of the error, the bidder shall bid at its own risk, and if, awarded the contract, shall not be entitled to additional compensation or time by reason of the error or its later correction.

F. Questions Regarding the IFB

The State Bar believes that this IFB is complete and does not need explanation. Any technical questions, however, regarding the IFB may be addressed in writing to

The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

Attn: Debbie Barrientos

All questions and answers regarding the IFB may be shared with all bidders.

If a question relates to a proprietary aspect of its bid and the question would expose proprietary information if disclosed to competitors, the bidder may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the bidder must submit a statement explaining why the question is sensitive. If the State Bar concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the State Bar does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the bidder will be notified.

A bidder who believes that one or more of the IFB's requirements is onerous or unfair, or unnecessarily precludes less costly or alternative solutions, may submit a written request that the IFB be changed. The request must set forth the recommended change and reason for proposing the change. Any such request must be received by the State Bar within 3 days of receipt of the IFB, but in no event later than 5 days before the deadline for submitting bids.

Contact with State Bar personnel in connection with this IFB may not be made other than as specified in this paragraph. Unauthorized contact of any State Bar personnel may be cause for rejection of a bid.

G. Addenda

The State Bar may modify the IFB prior to the date fixed for submission by mailing, e-mailing or faxing an addendum to the bidders to whom the IFB was sent. If any bidder determines that an addendum unnecessarily restricts its ability to bid, it must notify the State Bar in writing no later than three (3) days following the receipt of the addendum.

H. Withdrawal and Resubmission/Modification of Bids

A bid may be withdrawn at any time prior to the deadline for submitting bids by notifying the State Bar in writing of its withdrawal. The notice must be signed by the bidder. The bidder may thereafter submit a new or modified bid, provided that it is received at the State Bar no later than the deadline.

Modification offered in any other manner, oral or written, will not be considered. Bids cannot be changed after the evaluation process begins.

I. Protest Procedure

A bidder may protest the award if it meets all the following conditions:

1. The bidder has submitted a bid that it believes to be the lowest cost responsible bid, under the criteria set forth above;
2. The bidder believes that its bid meets the State Bar's administrative and technical requirements, proposes services of proven quality and performance, and offers a competitive cost to the State Bar; and
3. The bidder believes that the State Bar has incorrectly selected another bidder.

A bidder qualified to protest should contact Bill Brauer, Procurement Officer, Bill.Brauer@calbar.ca.gov, 415-538-2543, to attempt an informal resolution. If he is unable to resolve the protest to the bidder's satisfaction, the bidder must file a written protest within 5 days of the notice of intention to award contract. The written protest must state the facts surrounding the issue and the reasons the bidder believes the award to be invalid. The protest must be sent by certified or registered mail or delivered personally to:

The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

Attention: Sam Quan, Acting Chief Financial Officer

Protests will be reviewed and decided by the State Bar's Award Protest Team within 30 days after the State Bar issues written acknowledgment of the protest. In the event that a protest is filed, the contract award will be postponed pending resolution of the protest.

J. News Releases

News releases pertaining to the award of a contract may not be made without the prior written approval of the State Bar.

K. Disposition of Materials

All materials submitted in response to this IFB will become the property of the State Bar and will be returned only at the State Bar's option and at the expense of the bidder. One copy of each bid will be retained for official files and become a public record. Specific limited pages of a bid, not including proposed cost and compensation may be

marked as proprietary and confidential. The bidder's consent will be requested before release of such pages to anyone other than State Bar personnel. By submitting a bid, a bidder agrees to these terms and waives any right to pursue a cause of action for damages incurred as a result of the release of any information contained in a bid.

III. GOODS AND SERVICES TO BE PROVIDED

The Vendor shall print and mail, to recipients named on a schedule to be provided by the State Bar, certificates meeting the following specifications:

- Size, 11" x 14"
- Printed on high quality cream parchment paper
- Individual names and admission dates lithographically printed in Old English font.
- Bearing the seal of the Supreme Court of California and standard admission language in Script font.
- Printed in legible uniform black ink, with all names and admission dates accurately printed.

The certificates shall be mailed in cardboard mailers that cannot be folded, and must be placed in the U.S. mail, postage prepaid, not later than 3 weeks after receipt from the State Bar the certificate recipient name schedule.

The cost of the certificates, envelopes and mailing, as well as printing, shall be borne by the Vendor.

IV. CONTRACTING REQUIREMENTS

The bidder must agree to the contract terms of the State Bar standard purchase order, a copy of which is attached hereto as Attachment A.